

**Heber City Corporation
City Council Meeting
August 15, 2013**

6:00 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on August 15, 2013, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

Present:

Mayor
Council Members

David R. Phillips
Alan McDonald
Benny Mergist
Jeffery Bradshaw
Erik Rowland

Excused:

Council Member

Robert Patterson

Also Present:

City Manager
City Recorder
City Engineer
Planning Director
Chief of Police

Mark K. Anderson
Michelle Kellogg
Bart Mumford
Anthony Kohler
David Booth

Others Present: Paul Sweat, Kim Tippetts, Larry Newhall, Paul Berg, Danny Goode, Laurie Wynn, and others whose names were illegible.

Mayor Phillips opened the meeting and excused Council Member Patterson.

Kim Tippetts, Wasatch Back Property Management, Discuss Request for Culinary Water Service to Property Located at approximately 2400 South and 1300 East:

Council Member McDonald stated he supported this request since the City had the waterlines in place and Twin Creeks Special Service District didn't have the waterlines available at this time. Tippetts indicated the request was for water only because the sewer service would be provided by Twin Creeks. Council Member Bradshaw asked to hear Mumford's concerns. Mumford stated it was always a concern when the City served County residents. The County had requested the City stop its services at Mill Road. If the City did serve this subdivision, it would need to run a waterline up Center Creek Road and then obtain an access easement across the private road, since the City Code required waterline meters to be on public roads. He indicated many questions would need to be answered before an agreement could be reached, such as the public access road and secondary irrigation versus culinary water used for irrigation. Mayor Phillips asked if developers had historically donated water shares when developing subdivisions. Anderson indicated developers provided the water shares to the City when developing subdivisions. Mumford stated the required number of water shares was based on acreage, not the number of homes. Tippetts noted that he had 38 shares of Daniels Irrigation water for secondary irrigation purposes.

Anderson said something the Council should consider was that if the City agreed to provide culinary water services, the developer would have to agree to annex at a future date. Mayor Phillips confirmed that the County was anxious that the City did not expand, since the County could provide those services. But in this case, services from the County were not currently available. Anderson indicated the property was situated within the future annexation plan boundary. He said if the City would eventually annex that property, the developer should develop the subdivision at the current City standards. Mumford noted that the City would have to read the water meters there and if work was required, the City would need to acquire County road permits before proceeding with any repairs. Mumford stated he would feel more comfortable if he knew the property would be annexed in the near future.

Council Members Rowland, Bradshaw, and McDonald were in favor of providing culinary water service to this location based on Anderson's suggested annexation clause and requiring the developer to develop according to City standards. Council Member Mergist was concerned about the timeframe of Twin Creeks' expansion and if the annexation clause included in the Covenant Running with the Land Agreement would hold up after a certain time period. It was confirmed if a homeowner was opposed to the annexation clause, he/she would have to come before the Council to change the agreement. Anderson recommended that staff draft an agreement and present it to Tippetts for approval. This item was moved to the next regular meeting agenda.

Discuss Providing Culinary Water to Strawberry Storage, Located at 2117 South Highway 40: Paul Berg indicated the property was located on Highway 40, and only one connection would be needed. Since Mr. Sweat wanted to construct covered storage, he would need fire protection, which would require a water hookup. Anderson indicated the future use of this area was manufacturing so this use would be a non-conforming use of the area if/when the area was annexed into the City. The proposed manufacturing area would be similar to the area between 910 South and 300-600 West, which included businesses like Redmond Salt and Mrs. Calls Candy. Sweat explained the property that fronted Highway 40 would conform to the zoning requirement and the back 10 acres had a 10 foot fence surrounding the property.

Council Members Mergist, Rowland, Bradshaw and McDonald were in favor of moving this item to the next regular meeting agenda with the agreement that Sweat would comply with a future annexation and that the waterlines would be developed at City standards.

Discuss Staffing Needs for Accounts Payable/Building Department: Anderson indicated staff members in this department were bogged down with work. Rounds had offered his seasonal help to come help out until the work was caught up. Chief Booth had recommended temporary employees be hired to serve wherever was needed. Another suggestion was to hire a fulltime person and redistribute employee responsibilities.

Council Member McDonald stated he would like to see a Finance Director hired by January in order to relieve some pressure on Anderson. Council Member Bradshaw was in favor of hiring some part-time help for now. Council Member McDonald liked the part-time help option for now as well. Council Member Mergist felt the City needed both part-time help and a finance director. Council Member Rowland was also in favor of hiring additional part-time help.

Discuss Local Bidder Incentive Ordinance 2013-08: Mayor Phillips reviewed that this item was a continuation from former meetings. Council Member McDonald commented that the proposed policy would not give every contract to local bidders but it would give an incentive for

those local bidders who qualified. He looked at the policy as an incentive program and a token gesture to businesses to help them stay in business.

Council Member Mergist stated he was bothered from the comment at the last meeting that Summit and Wasatch Counties were perceived as business-unfriendly, and he didn't want to pass a policy based on "perception". At the same time, he wasn't completely opposed to helping local businesses. He wondered how the taxpayer association would feel about this proposal of spending more taxpayer dollars. He felt there were ways to support local businesses on a smaller scale, like buying uniforms locally and using local printers. He was not totally opposed to the ordinance, but he felt it needed limitations. He also felt it would open the floodgates for some form of corruption. In talking with business owners like local hardware stores, they indicated that they would like to see the City buy tools, paint, uniforms, etc., locally. Council Member Mergist was not in favor of large scale City projects. Council Member McDonald suggested implementing this policy for one or two years and then reevaluating it at that time. Mayor Phillips liked the idea of a test period. He was concerned that the local preference would discourage other contractors from bidding and prevent the City from having a competitive bidding process.

Council Member Rowland thought this policy should not be geared to large projects since the figures in the packet from 2008 to the present showed only two bidders would have qualified had the policy been in place during that time period. He suggested implementing a cap on the project budget for this policy at \$25,000. Mayor Phillips noted the City gave local preference in buying police cars. Council Member Bradshaw felt this policy would be a token thing at best, but if the Council felt this would be a goodwill gesture, he would agree. Mayor Phillips asked if the Council wanted to try it for a year with a project cap of \$25,000. Anderson thought the purchasing policy should be revisited for an accurate number cap. Council Members Rowland and Mergist also agreed to move the ordinance to the next regular meeting with a 5% margin on the bidding process. Mayor Phillips indicated the draft ordinance gave a business 72 hours to match the bid or decline the match. After some discussion, it was decided to change that time frame language to two business days to match the bid or decline. Anderson asked if the Council would prefer including this policy with the purchasing policy. The Council was amenable to that suggestion. Council Member Mergist wanted to see a clear definition of "local business" included in the ordinance and a project cap of \$25,000.

Mayor Phillips asked if the Council wanted to go to dinner sometime during the ULCT conference. The Council agreed to meet on the Thursday evening of the conference for dinner.

Anderson informed the Council that the UDOT Transportation Committee would be meeting tomorrow.

Anderson stated the canvass of the Primary Election needed to be held Tuesday, August 27. The Council agreed to meet at 5:30 p.m. for a special meeting to canvass the election.

Anderson also stated Muirfield requested parking vehicles in the sewer plant area. Mayor Phillips stated there were business owners that offered storage space for rent and he didn't want the City competing with businesses. Newhall indicated this request was for the residents' work trucks and trailers as parking spaces, not storage spaces, since they were in use on a daily basis. Council Member Rowland felt Muirfield needed to make an official request. Council Member

Mergist asked if the tree farm or greenhouse wanted to use the area. He felt the City should give consideration to the person who first requested the area for agricultural use.

Board Reports by Council Members: No reports were given.

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

APPROVED 09-05-2013